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REMARKS

This application pertains to a novel flame-retardant pressure-sensitive adhesive, having improved bond strength.

Claims 1-32 are pending.

The abstract stands objected to because not in one paragraph. A new abstract has now been provided, and the objection should be withdrawn.

Claims 7-12, 18, 23, 30 stand rejected under 35 U.S. C. 112, second paragraph, because the Examiner views the terms "substituted" and "derivative" as rendering the claims unclear, and because the Examiner does not view the terms "Norrish I and Norrish II photoinitiators as defining the specific photoinitiators utilized in the specification.

Those skilled in the Chemical Arts are very well aware of what the term "substituted" means, and will certainly understand the meaning of Applicants' claims. It is respectfully pointed out that the test of definiteness under 35 U.S.C. 112, second paragraph is whether those skilled in the art would understand what is claimed when the claim is read in light of the specification (MPEP 2173.02). It is also respectfully pointed out that breadth of a claim is not equated to indefiniteness. There can be absolutely no realistic doubt that those skilled in the art will clearly be able to understand what it is that is being claimed by Applicants'.

Accordingly, the expression "substituted" cannot reasonably be seen as rendering Applicants' claims indefinite.

Similarly, the meaning of the expression "derivative" is well-understood and often used by those skilled in the art. As a matter of fact, the very reference cited by the Examiner, Sakurai U.S. 6,893,583, uses that term. See col. 2, line 32.

A search of the PTO website revealed 22 issued patents reciting the term "Norrish I" and 44 issued patents reciting the term "Norrish II". Copies of the "hit lists" obtained from the PTO website are annexed hereto. These terms are therefore well-known to those skilled in the art, and cannot fairly be seen as rendering Applicants' claims indefinite either.

The rejection of claims 7-12, 18, 23, 30 under 35 U.S. C. 112, second paragraph should therefore now be withdrawn.

Claims 1-4, 6-8, 10-13, 18-27, 31 and 32 stand rejected under 35 U.S.C. 102(b) as anticipated by Parsons (US 5,851,663).

Parsons, however, teaches compositions wherein the flame retardant used is a combination of ammonium polyphosphate and another compound, such as a nitrogen containing oligomer. No person skilled in the art reading this reference would ever learn that the ammonium polyphosphate could be used in an adhesive composition comprising an acrylate adhesive component and a resin component,

with good results, without being combined with such second compounds.

In addition, Parsons teaches that the use of his flame retardants causes a reduction of the tackiness of the adhesive, and that an overcoat of an adhesive containing no flame retardant is required (column 3, lines 19-30).

Applicants' compositions, by contrast, exhibit improved adhesive properties, as compared to similar compositions without Applicants' flame retardant, as shown in Table 2, page 15-16, of Applicants' specification. These results would certainly represent unexpected advantages, in view of Parsons' teaching that the addition of flame retardants has a negative effect on adhesive properties.

Accordingly, Applicants' claims cannot be seen as anticipated by or obvious over the Parsons reference, and the rejection of claims 1-4, 6-8, 10-13, 18-27, 31 and 32 under 35 U.S.C. 102(b) as anticipated by Parsons (US 5,851,663) should now be withdrawn.

Claims 1-15, 17, 19 and 21-29 stand rejected under 35 U.S.C.102(a or e) as anticipated by Sakurai (US 6,893,583 or US 2002/0193487).

Sakurai does not teach a composition comprising an acrylate adhesive component, an ammonium polyphosphate component and a resin component. Sakurai is rather concerned with a curable composition, comprising e.g. a polymerizable vinyl monomer (which is not an adhesive component).

In addition, Sakurai does not teach the inclusion of any resin in his composition.

Accordingly, the product disclosed by Sakurai is completely different than the product claimed by Applicants, and Applicants' claims are in no way anticipated by or obvious over Sakurai.

The rejection of claims 1-15, 17, 19 and 21-29 under 35 U.S.C. 102(a or e) as anticipated by Sakurai (US 6,893,583 or US 2002/0193487) should therefore be withdrawn.

Finally, claims 1-32 stand rejected under 35 U.S.C. 103(a) as obvious over Parsons (US 5,851,663) or Sakurai (US 6,893,583 or US 2002/0193487) in view of Nishumura (US 2005/0227065). The Examiner cites Nishumura for a teaching of "other monomers" of acrylates, photoinitiators and specific molecular weights.

No "other monomers" of acrylates, photoinitiators or specific molecular weights could possibly overcome the differences shown above between the disclosure of the primary references and subject-matter of Applicants' claims.

The rejection of claims 1-32 under 35 U.S.C. 103(a) as obvious over Parsons (US 5,851,663) or Sakurai (US 6,893,583 or US 2002/0193487) in view of Nishumura (US 2005/0227065) should therefore now be withdrawn.

In view of the present remarks it is believed that claims 1-32 are now in

condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

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CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Appellants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account No. 14-1263.

Respectfully submitted,
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By 

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I hereby certify that this correspondence is being transmitted via facsimile no. 571-273-8300 addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 24, 2007


William C. Gerstenzang

Date January 24, 2007